

## INVENTOR DECLARATION

Attorney Docket No.  
P01990US0

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "PROCESS FOR REQUESTING BIOLOGICAL EXPERIMENTS AND FOR THE DELIVERY OF EXPERIMENTAL INFORMATION", the specification of which

(check one)  is attached hereto.  
 was filed on August 4, 2000 as Application Serial No. 09/632,539  
 and was amended on \_\_\_\_\_  
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

			Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

60/161,694 (Application Serial No.)	October 26, 1999 (Filing Date)
_____	_____

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(b) of any PCT international application designating the United States of America, listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior U.S. or PCT international application in the manner provided by the first paragraph of Title 35, U.S.C. §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
_____	_____	_____
_____	_____	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the ... fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such

Full Name of Sole or First Inventor Aleksandar Milosavljevic	Inventor's Signature <i>Aleksandar Milosavljevic</i>	Date 11/3/00
Residence 45 Fire Flicker Place, The Woodlands, TX 77381	Citizenship U.S.	
Post Office Address Same as above		
Full Name of Second Inventor Mitchell Dean Eggers	Inventor's Signature <i>Mitchell Dean Eggers</i>	Date 11/7/00
Residence Donn 10 Plum Cove Court, The Woodlands, TX 77381	Citizenship U.S.	
Post Office Address Same as above		
Full Name of Third Inventor Michael E. Hogan	Inventor's Signature <i>Michael E. Hogan</i>	Date
Residence 15087 Old Conroe Rd., Conroe, TX 77384	Citizenship U.S.	
Post Office Address		
Full Name of Fourth Inventor Deval Arun Lashkari	Inventor's Signature <i>Deval Arun Lashkari</i>	Date 11/19/00
Residence 102 Amber Leigh Place, The Woodlands, TX 77382	Citizenship U.S.	
Post Office Address		
Full Name of Fifth Inventor Robert H. Ellis	Inventor's Signature <i>Robert H. Ellis</i>	Date 11/7/00
Residence 529 Southport Lane, Kemah, TX 77565	Citizenship U.S.	
Post Office Address		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	Con of 10/613,434
Filing Date	Jan. 02, 2004
First Named Inventor	Milosavljevic, Aleksandar
Title	Process for Requesting ...
Art Unit	tbd
Examiner Name	tbd
Attorney Docket Number	GMX 071394-C0N

I hereby appoint:

 Practitioners at Customer Number


Place Customer  
Number Bar Code  
Label here

OR

 Practitioner(s) named below:

Name	Registration Number
Robert D. Touslee	34,032

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

 The above-mentioned Customer Number.

OR

 Practitioners at Customer Number.


Place Customer  
Number Bar Code  
Label here

OR

<input checked="" type="checkbox"/>	Firm or Individual Name	Robert D. Touslee
Address	GMX Technology Inc.	
Address	29 Golden Eagle Lane	
City	Littleton	State CO Zip 80127
Country	USA	
Telephone	303.933.0103	Fax 303.933.0126

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name	Robert D. Touslee
Signature	
Date	Jan. 02, 2004

Telephone 303.933.0103

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: GMX Technology IncorporatedApplication No./Patent No.: CON of 10/613,434 Filed/Issue Date: filed Jan. 02, 2004Entitled: Process for Requesting Biological Experiments and for the Delivery of Experimental ..GMX Technology Incorporated, a Delaware Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or2.  an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventors To: GENOMETRIX INCORPORATED  
The document was recorded in the United States Patent and Trademark Office at Reel 011321, Frame 0824, or for which a copy thereof is attached.
2. From: GENOMETRIX INCORPORATED To: GMX TECHNOLOGY INCORPORATED  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

 Copies of assignments or other documents in the chain of title are attached.[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

January 02, 2004

Date

303.933.0103

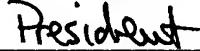
Telephone number

Robert D. Touslee

Typed or printed name



Signature



Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## COMPREHENSIVE ASSIGNMENT

THIS COMPREHENSIVE ASSIGNMENT OF RIGHTS AND PATENT APPLICATION from Genometrix Incorporated ("Assignor"), to GMX Technology Incorporated, ("Assignee") is dated is of July 2, 2003 (this "Assignment"). Assignor and Assignee shall each individually be referred to as a "Party," and collectively as, the "Parties."

WHEREAS, the Parties are also party to the Agreement and Assignment of Rights, dated as of June 9, 2003, between the Assignor and the Assignee (the "Agreement and Assignment of Rights");

WHEREAS, capitalized terms used but not defined herein have the definition set forth in the Agreement and Assignment of Rights;

WHEREAS, pursuant to the Agreement and Assignment of Rights, Assignor has agreed to transfer to Assignee all of Assignor's right, title and interest in and to the Intellectual Property;

NOW THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do agree as follows:

1. Assignor DOES HEREBY SELL, ASSIGN, TRANSFER AND CONVEY to Assignee, its successors and assigns forever, all of Assignor's right, title and interest in and to the patent application entitled **PROCESS FOR REQUESTING BIOLOGICAL EXPERIMENTS AND FOR THE DELIVERY OF EXPERIMENTAL INFORMATION**, filed in the U.S.P.T.O. on August 11, 2000 and assigned a **SERIAL NUMBER 09/632,539**, including all inventions described or claimed therein, and any Letters Patent which may hereinafter be granted in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, reexaminations, prolongations or extensions of the

patents or patent applications, together with the right of priority under the International Convention for the protection of Industrial Property, and any other international agreements to which the United States adheres, said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignor had this assignment and transfer not been made, to the full end and term.

2. Assignor further transfers and assigns to Assignee all causes of action, rights, and remedies arising under any such patent applications prior to or after the effective date of this agreement.

3. Assignor does hereby also assign in all countries of the world any and all of Assignor's right, title and interest in and to any and all copyright property appertaining any drawings or other materials relating to the tangible means of expression and illustration of the said patent applications.

4. Assignor pledges and agrees to provide any such further information and documentation as may be necessary for Assignee to record the assignments effected in paragraph (1) above in the United States and in any and all other appropriate countries or jurisdictions.

5. Upon notice by Assignee, Assignor does hereby covenant and agree to provide any such further information and documentation as may be necessary to record, in each relevant jurisdiction, the assignments effected in paragraph (1) above.

<Signature Page Follows>

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed as of the date indicated below.

GENOMETRIX INCORPORATED

By: David Jorden

Name: David Jorden

Date: 7/2/03

State of TEXAS  
County of Harris

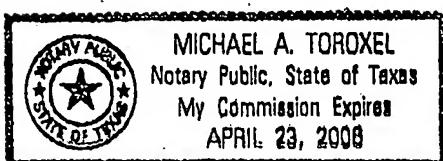
Then personally appeared before me the above named David Jorden and acknowledged that he is acting in an official ands designated capacity of Assignor, that he executed the foregoing instrument on behalf of such entity or entities with authority to do so, and that the signing of the instrument is the free act and deed of said legal entity or entities.

Dated this 2nd day of July, 2003.

Notary Public

Michael A. Toroxel

Michael A. Toroxel (Print Name)



My commission expires: 04-23-06